

REMARKS

Claims 1-34 remain in the application for further prosecution.

Claims 9-14, 23, and 32 have been allowed.

Claim Rejections Under 35 U.S.C. § 103(a)

Claims 1, 3, 15, 17, 24, 26, 33, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 3,448,231 to Heft ("Heft") in view of U.S. Patent No. 5,762,667 to Pippell et al. ("Pippell"). As an initial matter, in order to properly combine two references, the references must be analogous. Heft and Pippell are not analogous. Heft is directed to an arc discharge filter for a circuit breaker. Pippell is directed to an air filter for use in a home. The two are directed at solving different problems – safely discharging electric current and filtering out particles from the air. The two patents are directed to different filtering technologies – one looking to solve a problem in the arc discharge area would not review air filters for the home. The Examiner is improperly using hindsight, and the present application as a roadmap. Therefore, for at least this reason, claims 1, 3, 15, 17, 24, 26, 33, and 34 are believed to be allowable.

Claims 2, 16 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heft in view of Pippell et al as applied to claims 1, 15 and 24 above, and further in view of U.S. Patent No. 5,795,361 to Lanier, Jr. et al. ("Lanier"). As stated above, it is the Applicant's belief that Heft and Pippell are not properly combinable as they are not from analogous arts. Lanier is also considered different enough so as to be non-analogous. Lanier is directed to an air filter element to be used in filtering engine air or cabin air in vehicles. As stated above, Heft is directed to an arc discharge filter. One of ordinary skill in the art in designing arc discharge filter would not refer to an air filter for a reference. Therefore, claims 2, 16, and 25 are also believed to be allowable over the prior art.

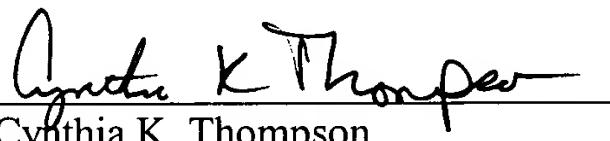
Conclusion

It is the Applicants' belief that all the pending claims are now in condition for allowance, and thus reconsideration of this application is respectfully requested. If there are any matters which may be resolved or clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at the number indicated.

It is believed that no fee is presently due; however, should any additional fees be required (except for payment of the issue fee), the Commissioner is authorized to deduct the fees from Jenkins & Gilchrist, P.C. Deposit Account No. 10-0447, Order No. 47181-00248.

Respectfully submitted,

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